

EXPRESS MAIL: EL627052113US
DATE DEPOSITED: July 12, 2000

PATENT
Att'y Dkt. No. 8403.052



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Donald E. Weder

Serial No.:	Not Yet Assigned)
)
Filed:	Herewith)
)
For:	CONICAL FLORAL SLEEVE)
)

Box IDS
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
CONCURRENT WITH FILING OF APPLICATION
(37 C.F.R. § 1.97(b))

The information disclosure statement submitted herewith is being filed concurrently with the above-referenced application. 37 C.F.R. § 1.97(b).

Respectfully submitted,

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For: **CONICAL FLORAL SLEEVE**)

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INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure Statement:

1. [X] Preliminary Statements
2. [X] Form PTO-1449 (Modified)
3. [X] Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))
4. [X] Identification of Prior Application In Which Listed Information Was Already Cited and for Which No Copies Are Submitted Or Need to Be Submitted
5. [X] Identification of Person(s) Making this Information Disclosure Statement

Applicant: Donald E. Weder
Title: **CONICAL FLORAL SLEEVE**
Atty. Dkt. No.: 8403.052

Section 1. Preliminary Statements

Applicant submits herewith patents, publications or other information of which he is aware, which he believes may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. Form PTO-1449 (Modified)

- ☒ [X] A completed Form 1449 (Modified) is attached hereto (without copies of cited references).
- ☐ [] No Form 1449 (Modified) is attached.

Section 3. Statements as to Information Not Found in Patents or Publications (Information not listed in PTO 1449 (Modified))

Plant sleeves are old in the art. Plant sleeves typically are constructed of polymer film or paper. Plant sleeves generally are tapered (trapezoidally shaped) with an open top and an open bottom, although some have a closed bottom. A plant in a pot is placed in the plant sleeve so that the sleeve covers the pot and the plant. In some instances, an upper portion of the plant sleeve is removable along a line of perforations leaving at least a portion of the sleeve around the pot. In some instances, a separate sheet of material is placed about the pot and the remaining bottom portion of the plant sleeve holds this separate sheet of material in place. Alternatively, a floral grouping alone may be placed within the sleeve.

It is also old in the art to form a sheet of material about a flower pot and then place an elastic band around the sheet of material to hold the sheet in place about the flower pot. In some instances, the band has been positioned about the outer surface of the pot with the sheet of material positioned between the band and the flower pot. In some instances, the band has been positioned above the upper end of the pot thereby causing a portion of the sheet of material to be forced inwardly over the upper end of the pot.

It is also old in the art to form a sheet of material into a conically shaped tube like member referred to commonly in the art as a sleeve. A floral grouping or flower pot with flowers therein can be disposed through the larger open end of the sleeve, wherein the sleeve covers the floral grouping or the flower pot and extends above and around the flowers in the floral grouping or flower pot.

It is also old in the art that cut flowers have been wrapped with the following materials or combinations of materials:

1. Kraft paper plus waxed or unwaxed tissue paper with the flowers being placed next to the waxed paper or tissue paper.
2. Kraft paper plus newspaper plus waxed or unwaxed tissue with the flowers being placed next to the waxed or unwaxed tissue. These three materials have been used to wrap flowers in various combinations such as Kraft paper plus newspaper or Kraft paper plus waxed or unwaxed tissue paper or newspaper plus waxed or unwaxed tissue paper.
3. Waxed or unwaxed tissue paper, polymer films and Kraft paper (treated for water resistance or wet strength or untreated).
4. Polymer film and waxed tissue paper.

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Section 4. Identification of Prior Application In Which Listed Information Was Already Cited and for Which No Copies Are Submitted Or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. 09/468,579, filed on 12/21/99. The below listed references were submitted to and/or cited by the Office in this prior application. Therefore, copies are not submitted herewith.

U.S. PATENT DOCUMENTS									
	PATENT NUMBER							ISSUE DATE	PATENTEE
AA		5	2	4	2	1	9	08/07/1894	Schmidt
AB		7	3	2	8	8	9	07/07/03	Paver
AC		9	5	0	7	8	5	03/01/10	Pene
AD	1	0	6	3	1	5	4	05/27/13	Bergen
AE	1	4	4	6	5	6	3	02/27/23	Hughes
AF	1	5	2	0	6	4	7	12/23/24	Hennigan
AG	1	5	2	5	0	1	5	02/03/25	Weeks
AH	1	6	1	0	6	5	2	12/14/26	Bouchard
AI	1	6	9	7	7	5	1	01/01/29	Blake
AJ	1	8	6	3	2	1	6	06/14/32	Wordingham
AK	1	9	7	8	6	3	1	10/30/34	Herrlinger
AL	2	0	4	8	1	2	3	07/21/36	Howard
AM	R	E	2	1	0	6	5	05/02/39	Copeman
AN	2	1	7	0	1	4	7	08/22/39	Lane
AO	2	2	0	0	1	1	1	05/07/40	Bensel
AP	2	2	7	8	6	7	3	04/07/42	Savada et al.
AQ	2	3	0	2	2	5	9	11/17/42	Rothfuss
AR	2	3	2	3	2	8	7	07/06/43	Amberg

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U.S. PATENT DOCUMENTS									
	PATENT NUMBER							ISSUE DATE	PATENTEE
AS	2	3	5	5	5	5	9	08/08/44	Renner
AT	2	3	7	1	9	8	5	03/20/45	Freiberg
AU	2	4	1	1	3	2	8	11/19/46	MacNab
AV	2	5	1	0	1	2	0	06/06/50	Leander
AW	2	5	2	9	0	6	0	11/07/50	Trillich
AX	2	6	2	1	1	4	2	12/09/52	Wetherell
AY	2	6	4	8	4	8	7	08/11/53	Linda
AZ	2	6	8	8	3	5	4	09/07/54	Berger
AZA	2	7	7	4	1	8	7	12/18/56	Smithers
BA	2	8	2	2	2	8	7	02/04/58	Avery
BB	2	8	4	6	0	6	0	08/05/58	Yount
BC	2	8	5	0	8	4	2	09/09/58	Eubank Jr.
BD	2	8	8	3	2	6	2	04/21/59	Borin
BE	2	9	8	9	8	2	8	06/27/61	Warp
BF	3	0	2	2	6	0	5	02/27/62	Reynolds
BG	3	0	8	0	6	8	0	03/12/63	Reynolds
BH	3	0	9	4	8	1	0	06/25/63	Kalpin
BI	3	1	2	1	6	4	7	02/18/64	Harris et al.
BJ	3	1	3	0	1	1	3	04/21/64	Silman
BK	3	2	7	1	9	2	2	09/13/66	Wallerstein et al.
BL	3	3	2	2	3	2	5	05/30/67	Bush
BM	3	3	7	6	6	6	6	04/09/68	Leonard
BN	3	3	8	0	6	4	6	04/30/68	Doyen et al.
BO	3	4	3	1	7	0	6	03/11/69	Stuck

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	PATENT NUMBER							ISSUE DATE	PATENTEE
BP	3	5	0	8	3	7	2	04/28/70	Wallerstein et al.
BQ	3	5	1	0	0	5	4	05/05/70	Sanni et al.
BR	3	5	1	2	7	0	0	05/19/70	Evans et al.
BS	3	5	5	2	0	5	9	01/05/71	Moore
BT	3	5	5	4	4	3	4	01/12/71	Anderson
BU	3	5	5	6	3	8	9	01/19/71	Gregoire
BV	3	5	5	7	5	1	6	01/26/71	Brandt
BW	3	6	2	0	3	6	6	11/16/71	Parkinson
BX	3	6	8	1	1	0	5	08/01/72	Milutin
BY	3	7	6	7	1	0	4	10/23/73	Bachman et al.
BZ	3	7	9	3	7	9	9	02/26/74	Howe
BZA	3	8	6	9	8	2	8	03/11/75	Matsumoto
BZB	3	8	8	8	4	4	3	06/10/75	Flanigen
BZC	3	9	6	2	5	0	3	06/08/76	Crawford
BZD	4	0	4	3	0	7	7	08/23/77	Stonehocker
BZE	4	0	5	4	6	9	7	10/18/77	Reed et al.
BZF	4	0	9	1	9	2	5	05/30/78	Griffo et al.
CA	4	1	1	3	1	0	0	09/12/78	Soja et al.
CB	4	1	1	8	8	9	0	10/10/78	Shore
CC	4	1	8	9	8	6	8	02/26/80	Tymchuck et al.
CE	4	2	1	6	6	2	0	08/12/80	Weder et al.
CF	4	2	4	8	3	4	7	02/03/81	Trimbee
CG	4	2	6	5	0	4	9	05/05/81	Gorewitz
CH	D	2	5	9	3	3	3	05/26/81	Charbonneau

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CI	4	2	8	0	3	1	4	07/28/81	Stuck
CJ	4	2	9	7	8	1	1	11/03/81	Weder
CK	4	3	3	3	2	6	7	06/08/82	Witte
CL	4	3	4	7	6	8	6	09/07/82	Wood
CM	4	3	8	0	5	6	4	04/19/83	Cancio et al.
CN	4	4	0	0	9	1	0	08/30/83	Koudstall et al.
CO	4	4	1	3	7	2	5	11/08/83	Bruno et al.
COA	4	5	0	8	2	2	3	04/02/85	Catrambone
CP	D	2	7	9	2	7	9	06/18/85	Wagner
CQ	4	5	4	6	8	7	5	10/15/85	Zweber
CR	4	6	2	1	7	3	3	11/11/86	Harris
CS	4	6	4	0	0	7	9	02/03/87	Stuck
CT	4	7	1	7	2	6	2	01/05/88	Roen et al.
CU	4	7	3	3	5	2	1	03/29/88	Weder et al.
CV	4	7	6	5	4	6	4	08/23/88	Ristvedt
CW	4	7	7	1	5	7	3	09/20/88	Stengel
CX	4	7	7	3	1	8	2	09/27/88	Weder et al.
CY	4	8	0	1	0	1	4	01/31/89	Meadows
CZ	4	8	1	0	1	0	9	03/07/89	Castel
CZA	4	8	3	5	8	3	4	06/06/89	Weder
CZB	D	3	0	1	9	9	1	07/04/89	Van Sant
CZC	4	9	0	0	3	9	0	02/13/90	Colton et al.
CZD	4	9	4	1	5	7	2	07/17/90	Harris
CZE	4	9	8	0	2	0	9	12/25/90	Hill

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CZF	5	0	7	3	1	6	1	12/17/91	Weder et al.
CZG	5	0	7	4	6	7	5	12/24/91	Osgood
CZH	5	1	0	5	5	9	9	04/21/92	Weder
DA	5	1	1	1	6	3	8	05/12/92	Weder
DB	5	1	2	0	3	8	2	06/09/92	Weder
DC	5	1	5	2	1	0	0	10/06/92	Weder et al.
DD	5	1	8	1	3	6	4	01/26/93	Weder
DE	5	1	9	9	2	4	2	04/06/93	Weder et al.
DF	5	2	0	5	1	0	8	04/27/93	Weder et al.
DG	D	3	3	5	1	0	5	04/27/93	Ottenwalder et al.
DH	5	2	2	8	2	3	4	07/20/93	de Klerk et al.
DI	5	2	3	5	7	8	2	08/17/93	Landau
DJ	5	2	3	9	7	7	5	08/31/93	Landau
DK	5	2	4	9	4	0	7	10/05/93	Stuck
DL	5	2	5	9	1	0	6	11/09/93	Weder et al.
DM	5	3	0	7	6	0	6	05/03/94	Weder
DN	5	3	1	5	7	8	5	05/31/94	Avôt et al.
DO	5	3	5	0	2	4	0	09/27/94	Billman et al.
DP	5	3	5	3	5	7	5	10/11/94	Stepanek
DQ	5	3	6	1	4	8	2	11/08/94	Weder et al.
DR	5	3	8	8	6	9	5	02/14/95	Gilbert
DS	5	4	2	8	9	3	9	04/04/95	Weder et al.
DT	5	4	4	3	6	7	0	08/22/95	Landau
DU	5	4	9	3	8	0	9	02/27/96	Weder et al.

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DV	5	4	9	6	2	5	1	03/05/96	Cheng	
DW	5	4	9	6	2	5	2	03/05/96	Gilbert	
DX	D	3	6	8	0	2	5	03/19/96	Sekerak et al.	
DY	5	5	2	6	9	3	2	06/18/96	Weder	
DZ	5	5	7	2	8	4	9	11/12/96	Weder et al.	
DZA	5	5	7	2	8	5	1	11/12/96	Weder	
DZB	5	5	7	5	1	3	3	11/19/96	Weder et al.	
DZC	5	6	1	7	7	0	3	04/08/97	Weder	
DZD	5	6	2	4	3	2	0	04/29/97	Martinez	
DZE	5	6	4	7	1	6	8	07/15/97	Gilbert	

FOREIGN PATENT DOCUMENTS										
	DOCUMENT NUMBER							PUBLICATION DATE	COUNTRY OR PATENT OFFICE	
EA	4	2	3	1	9	7	8	06/21/79	Australia	
EB		6	5	4	4	2	7	01/02/65	Belgium	
EC	0	0	5	0	9	9	0	05/05/82	EPO	
ED	0	7	9	1	5	4	3	08/27/97	EPO	
EE	1	3	7	6	0	4	7	09/14/64	France	
EF	2	0	3	6	1	6	3	12/24/70	France	
EG	2	1	3	7	3	2	5	12/29/72	France	
EH	2	2	7	2	9	1	4	12/26/75	France	
EI	2	4	8	9	1	2	6	03/05/82	France	
EJ	2	6	0	3	1	5	9	03/04/89	France	

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EK	2	6	1	0	6	0	4	08/12/88	France*(see FN below)
EL	2	6	1	9	6	9	8	3/89	France
EM		3	4	5	4	6	4	12/12/21	Germany
EN		5	1	3	9	7	1	11/27/30	Germany
EO	1	1	6	6	6	9	2	03/26/64	Germany
EP	1	9	6	2	9	4	7	06/24/71	Germany
EQ	2	0	6	0	8	1	2	11/04/71	Germany
ER	2	7	4	8	6	2	6	05/03/79	Germany
ES	3	4	4	5	7	9	9	06/19/86	Germany
ET	3	8	2	9	2	8	1	5/18/89	Germany
EU	3	9	1	1	8	4	7	10/25/90	Germany
EV		2	2	4	5	0	7	4/30/96	Italy
EW		5	4	2	9	5	8	02/23/93	Japan
EX	1	0	0	0	6	5	8	01/05/96	Netherlands
EY	8	3	0	1	7	0	9	12/84	Netherlands
EZ	9	3	1	5	9	7	9	08/19/93	PCT
EZA		5	6	0	5	3	2	04/15/75	Switzerland
EZB				5	6	0	5	05/06/1885	United Kingdom
EZC	1	2	0	4	6	4	7	09/09/70	United Kingdom
EZD	2	0	5	6	4	1	0	03/18/81	United Kingdom
EZE	2	0	7	4	5	4	2	11/04/81	United Kingdom
FA	2	1	2	8	0	8	3	04/26/84	United Kingdom
FB	2	2	5	2	7	0	8	08/19/92	United Kingdom

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	OTHER MATERIALS (Including, Author, Title, Date, Relevant Pages, Place of Publication.**)
FC	Speed Cover Brochure, "The Simple Solution For Those Peak Volume Periods", Highland Supply Corporation, ©1989
FD	"Speed Sheets and Speed Rolls" Brochure, Highland Supply Corporation, ©1990.
FE	"Color Them Happy with Highlander Products" ©1992
FF	"Costa Keeps the Christmas Spirit", Supermarket Floral, Sept. 15, 1992
FG	"Super Seller", Supermarket Floral, Sept. 15, 1992.
FH	"Halloween", Link Magazine, Sept. 1992.
FI	"Now More Than Ever", Supermarket Floral, Sept. 15, 1992.
FJ	Le Plant Sac Advertisement, published prior to 9/26/87.
FK	"A World of Cut Flower and Pot Plant Packaging" Brochure, Klerk's Plastic Products Manufacturing, Inc., published prior to 3/31/94, 6 pages.
FL	Chantler & Chantler brochure showing Zipper Sleeve™ and Florasheet®, published prior to 3/31/94, 2 pages.
FM	"Foil Jackets" brochure, Custom Medallion, Inc., December, 1996, 2 pages.
FN	"Derwent Abstract" of FR 2610604A. It is noted that the abstract is an incorrect English translation of the contents of the French patent. The French patent does not enable or disclose adhesively attaching the covering to the container. 1988.
FO	"Silver Linings" Brochure, Affinity Diversified Industries, Inc., 1986. The Silver Linings brochure shows a floral sleeve with a closed bottom. The brochure shows, in one embodiment, a vase with flowers inside a "cut flower" sleeve with the sleeve tied with a ribbon about the neck of the vase.
FP	Adhesives Handbook, J. Shields, pages 260, 345 & 346, 1970.
FQ	Farm Journal's House Plants For Gift Giving, V.F. & G.A. Elbert, page 93 and third unnumbered page of photos, 1978.

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Section 5. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

- ☒ [X] supplied by the inventor(s)
- ☐ [] supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ [X] in the attorney's file

Respectfully submitted,



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